

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DORRELIEN FELIX and MARGALY FELIX, individually, and JONATHAN C. MOORE, as Administrator of the ESTATE OF DAVID FELIX,

Plaintiffs,

- against -

THE CITY OF NEW YORK, a municipal entity; HAROLD CARTER and VINCENTE MATIAS, individually and in their official capacities as New York City Police Detectives; the BRIDGE INC., a domestic not-for-profit organization; and JANE DOE (as of yet unidentified employee of the BRIDGE),

Defendants.

**DECLARATION OF
LUNA DROUBI
IN OPPOSITION TO
DEFENDANT'S PARTIAL
MOTION FOR SUMMARY
JUDGMENT**

No. 16-cv-5845 (AJN)

LUNA DROUBI, an attorney duly admitted to practice law in the State of New York and in this court, declares under penalty of perjury:

1. I am a partner at Beldock Levine & Hoffman LLP, attorneys for Plaintiffs and am well-familiar with the facts of this case. I submit this declaration in opposition to Defendants Partial Motion for Summary Judgment pursuant to Fed. R. Civ. P. 56.

2. Annexed hereto are true and accurate copies of the following exhibits:

Exhibit 1: Excerpts from the August 28, 2018 Deposition of Tianna Penn

Exhibit 2: Excerpts from the May 23, 2018 Deposition of NYPD Detective Harold Carter

Exhibit 3: Excerpts from the September 25, 2018 Deposition of NYPD Detective Vincente Matias

Exhibit 4: I-Card Issued for David Felix dated April 24, 2015

Exhibit 5: Excerpts from the Grand Jury Testimony of NYPD Detective Harold Carter

Exhibit 6: Excerpts from the Grand Jury Testimony of NYPD Detective Vincente Matias

Exhibit 7: Excerpts from the April 23, 2018 Deposition of Danielle Steeley, Employee of the Bridge

Exhibit 8: Excerpts from the Grand Jury Testimony of Danielle Steeley, Employee of the Bridge

Exhibit 9: Excerpts from the May 7, 2018 Deposition of NYPD Police Officer Deryk Blaire

Exhibit 10: Excerpts from the April 23, 2018 Deposition of Maritza Bryson, Supervisor with the Bridge

Exhibit 11: Residential Agreement between David Felix and the Bridge, Inc. dated October 10, 2014

Exhibit 12: Surveillance Video Footage from the Bridge from April 25, 2015

Exhibit 13: Excerpts from the May 15, 2018 Deposition of Melanie Wagner

Exhibit 14: Color Photograph of Lobby Hallway of 538 East 6th Street with Ms. Wagner's mark-ups

Exhibit 15: NYPD UMOS Firearms Discharge Powerpoint with Timeline

Exhibit 16: Final Summary Report of Firearms Discharge Review Board Case #2015-26 dated August 2, 2017

Exhibit 17: Excerpts of August 9, 2018¹ Deposition of Christina Ibanez

Exhibit 18: Color Photograph of the Hallway of 538 East 6th Street from the Deposition of Christina Ibanez (Plaintiff's Deposition Exhibit 19)

Exhibit 19: Color Photograph of the Apartment Building Located at 538 East 6th Street from the Deposition of Christina Ibanez (Plaintiff's Deposition Exhibit 20)

¹ The Court Reporter mistakenly dated the deposition of Ms. Ibanez for August 9, 2017.

Exhibit 20: September 22, 2016 audio recording of the NYPD Internal GO-15 Interview with Vincente Matias

Exhibit 21: Excerpt of May 22, 2018 Deposition of NYPD Detective Kevin Brown

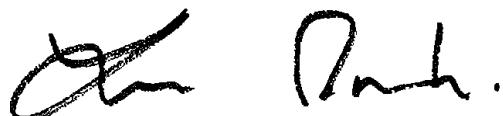
Exhibit 22: Floorplan of David Felix's Apartment at 538 East 6th Street, Apartment 6C

Exhibit 23: Expert Report of Lone Thanning, M.D., F.C.A.P., FACFE, DABFM, Diplomat, Anatomic and Forensic Pathology

Exhibit 24: December 3, 2018 Decision and Order from Cassandra Mullen

Dated: New York, New York
February 4, 2019

Respectfully submitted,



Luna Droubi